



ATLANTIS RAIL **Contact Information**

Customer Service

(800) 541-6829
(508) 732-9191

Web Address

www.atlantisrail.com

Email

info@atlantisrail.com

Facsimile

(508) 732-9798

Mailing Address

Atlantis Rail Systems
70 Armstrong Road
Plymouth, MA 02360

Minimum Advertised Price Policy (MAP)

As a leading manufacturer of cable railing systems, Atlantis Rail is proud of its role in pioneering this new product category of Cable Railing. Professional contractors and weekend warriors alike are using Atlantis Rail products to simplify the installation of cable railing thus increasing product demand and opportunity for everyone. There are two (2) sources available for consumers to purchase Atlantis Rail product; "Atlantis Rail Authorized Dealers" who have invested in our program by stocking product, completed training, and met other requirements outlined in the Atlantis Rail Authorized Dealer Program; and "Resellers" who generally do not stock product and may or may not have completed product training. In this MAP outline they will be referred to collectively as "Dealers".

We greatly value our Dealers and the time and resources they invest to deliver an exceptional customer experience through knowledgeable staff and compelling product presentation. To support our Dealers' efforts, Atlantis Rail wishes to establish policies that allow Dealers to earn the profits necessary to maintain the high level of customer service and product support they provide.

To protect the investment of our Dealers and the Atlantis Rail Brand reputation, we have unilaterally adopted a MINIMUM ADVERTISED PRICE POLICY ("MAP Policy"). Atlantis Rail established this MAP Policy due to the fact that Dealer advertising and sales practices that promote Atlantis Rail products primarily on the basis of price could be detrimental to our Dealers' service and support efforts and to the Atlantis Rail brand reputation. Atlantis Rail believes that any price-only based advertising practices are unfair and thus discourages value added sales, marketing and service efforts.

Atlantis Rail reserves the right under this MAP Policy to not do business with any dealer who intentionally advertises any covered MAP Product below its MAP price. Atlantis Rail is confident that this program will strengthen the competitiveness of all Dealers and will benefit the consumer by providing a better and more reliable source of product expertise and customer service.

Atlantis Rail acknowledges and encourages that Dealers may sell Atlantis Rail products and advertise them for sale. In some cases Dealers buy from third parties and we have very limited knowledge regarding their identity and source of product, thus limited influence in the choice rather to sell to such a Dealer. Atlantis Rail acknowledges that we wish to provide all Dealers with the same opportunity to sell product within the guidelines of our MAP policy and we apply no restrictions on who may sell Atlantis Rail product within the guidelines of our MAP policy. The Atlantis Rail MAP Policy does not preclude any Dealer from selling our product regardless of their methods, but it does serve as notice that we will enforce our MAP Policy by denying direct transaction including product purchases, service or warranty between Atlantis Rail and any Dealer who is or persists to be in violation of our MAP Policy.

Official Policy & Guidelines

Atlantis Rail reserves the right, in its unilateral discretion, to take any action we feel necessary to meet the goals of our MAP Policy as outlined with respect to any Dealer that violates this MAP Policy.

1. The MAP Policy will be enforced by Atlantis Rail in its sole discretion.
2. Atlantis Rail recognizes that any Dealer can make its own decisions to advertise and sell any Atlantis Rail product at any price it chooses without consulting or advising Atlantis Rail. Atlantis Rail similarly has the right to make its own unilateral decision regarding the allowance of Dealer program benefits, product allocations and Dealer participation as a Dealer of Atlantis Rail product at any time. Atlantis Rail has the right to refuse any Dealer order at any time.

3. Atlantis Rail will maintain an updated “MAP Products” list of those products that will fall under this MAP Policy. Atlantis Rail reserves the right to update or modify this list at any time.
4. All Atlantis Rail Products have a MAP price. Listing a price below the MAP price next to the featured MAP Product in any advertising and in any form will be viewed as a violation of this MAP Policy. This MAP Policy applies to all advertisement of MAP Products in any and all media, including, but not limited to, flyers, posters, coupons, mailers, inserts, newspapers, magazines catalogs, mail order catalogs, internet or similar electronic media including websites, forums, email newsletters, email solicitations, television, radio, and public signage. Such website features as “Click for price”, automated “bounce –back” pricing e-mails, pre-formatted e-mail responses, forms, automatic price display for any items prior to being placed in a customer’s shopping cart, and other similar features are considered to be communications initiated by the Dealer and constitutes “advertising” under this MAP Policy. This MAP Policy also applies to any activity which Atlantis Rail determines, in its sole discretion, is designed or intended to circumvent the intent of this MAP Policy, such as solicitations for „group purchases” and the like. Specifically in regard to Amazon.com advertising, a cost plus freight advertised price where freight is represented from the Amazon freight table and the sum of product and freight cost equal MAP price is allowed so long as freight amount is verifiable. If freight amount used in such calculation is unreasonably high, Dealer may be required to present proof of freight accuracy.
5. It shall not be a violation of this MAP Policy to advertise in general that the Dealer has “the lowest prices” or will match or beat its competitors” prices, or to use similar phrases; so long as the Dealer does not include language aimed at discrediting other Dealers and any advertised price included is at or above MAP and otherwise complies with this MAP Policy.
6. Where Atlantis Rail products are bundled with or sold as part of a package that includes other products (rather or not manufactured by Atlantis Rail) shall be a violation of this MAP Policy to sell or advertise the bundle (or package) at a price that: (a) is lower than the total Minimum Advertised Price of the Atlantis Rail product or (b) violates the letter or spirit of the MAP Policy. Example: An advertised price per foot where the pricing would be impossible to meet without going below MAP pricing on some or all items.
7. Atlantis Rail authorized rebates and special promotions may not be reflected in a Dealer published MAP price, but may be offered within the guidelines set forth in the authorized subject promotion. It shall be a violation of this MAP Policy to include unauthorized promotions in any advertising for Atlantis Rail Products including any additional discount, dealer rebates, coupon, gift card, or incentive (whether in the form of a special event, promotion, term of doing business or otherwise) that translates into an immediate price reduction, where the cumulative effect would be to reduce the advertised price of any MAP Product below MAP. Advertising that includes an additional discount, coupon, gift card, points, or any other incentive for future purchases (regardless of whether the future purchases is of an Atlantis Rail product) shall be evaluated under the same guidelines as described in Section 6 regarding product bundling. For example, a gift card redeemable on a future purchase would be considered an “other product” under Section 6. This does not apply to any manufacturer’s rebate offered officially from Atlantis Rail on Atlantis Rail Products if rebate offer is conducted according to the authorized rebate.
8. It shall not be a violation of this MAP Policy to advertise that a customer may “call for price” or “email for price”, or to use similar language, specifically with respect to Atlantis Rail Products, so long as no price is listed. It is a violation of this policy to redirect a customer to an immediately discounted price below MAP via any means.
9. Although Dealers are free to establish their own resale prices, Atlantis Rail reserves the right to cancel all orders and refuse to accept any new orders from any Dealer following Atlantis Rails verification that such Dealer has advertised any MAP Products at a net retail sales price less than the then-current MAP retail price established by Atlantis Rail, or if Dealer has violated this policy in any other way.
10. Atlantis Rail Sales Representatives are NOT permitted to discuss this Policy or make any agreements or assurances with respect to Atlantis Rail Policies regarding Dealer advertising or pricing. This also includes any consumer program or promotion that affects the MAP Products.